

Motion granted. Telephone status conference is set for January 6, 2011, at 10:00 a.m. The court will initiate this call.

***s/ John S. Bryant***

U.S. Magistrate Judge

**V.**

**Civil Action No. 3:10 CV 0713**

**Judge William J. Haynes, Jr.**

**Magistrate Judge John S. Bryant**

**Defendant.**

Comes the Plaintiff, by and through counsel, and moves for a telephonic status conference in this cause. In support of this, he would show that this matter has now been referred to the Magistrate Judge for a bench trial, and a trial date needs to be scheduled. There are also issues related to deposing a witness who is currently outside of the United States and also issues as to procedures on medical proof.

Respectfully submitted,

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Mark A. Rassas

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*Attorney for the Plaintiff*

I certify that a copy of the foregoing has been forwarded to, attorney for the Delk Kennedy, Jr., US Attorney's Office, 110 Ninth Avenue South, Suite A961, Nashville, Tennessee 37203-3870, *Attorney for the Defendant*, this the 9<sup>th</sup> day of December, 2010.

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Mark A. Rassas